REMARKS

This is a full and timely response to the outstanding final Office Action mailed November 1, 2007. Reconsideration and allowance of the application and pending claims are respectfully requested.

I.   Claim Rejections - 35 U.S.C. § 102(b)

Claims 1-5, 12, 14, 20-23, and 26 have been rejected under 35 U.S.C. § 102(b) as being anticipated by *Kemp, et al.* ("Kemp," U.S. Pat. No. 2002/0078160). Applicant respectfully traverses.

It is axiomatic that "[a]nticipation requires the disclosure in a single prior art reference of each element of the claim under consideration." *W. L. Gore & Associates, Inc. v. Garlock, Inc.*, 721 F.2d 1540, 1554, 220 U.S.P.Q. 303, 313 (Fed. Cir. 1983). Therefore, every claimed feature of the claimed invention must be represented in the applied reference to constitute a proper rejection under 35 U.S.C. § 102(b).

In the present case, not every feature of the claimed invention is represented in the Kemp reference. Applicant discusses the Kemp reference and Applicant's claims in the following.

A.   The Kemp Disclosure

Kemp discloses a system and method for printing over the Internet. The system includes a client computer 10, a portal 3, and a service provider 3. *Kemp*, paragraphs 0035 and 0036. A user generates a document to be printed by the *service provider 3* on the client computer 10. *Kemp*, paragraph 0075. The portal 3 provides a print driver 282

on the client computer 10 with information as to the service provider 3. *Kemp*, paragraph 0042. The service provider 3 (e.g., print shop) receives and processes print jobs from the client computer 10. *Kemp*, paragraphs 0086 and 0087.

B.   Applicant's Claims

As noted above, Kemp fails to teach several of Applicant's claim limitations. Applicant discusses some of those claim limitations in the following.

1.   Claims 1-5, 12, 14

Applicant's independent claim 1 provides as follows:

1.   A method of managing workflow in a commercial printing environment including a designer location and a print service provider location, said method comprising:

creating at the designer location a digital file that represents an image to be printed;

receiving at the designer location from the print service provider location real time configuration information regarding a print production device at the print service provider location;

creating at the designer location a high performance file using the real time configuration information from the print service provider location, the high performance file comprising the digital file that represents the image to be printed and processing instructions that indicate how a print job associated with the high performance file is to be processed;

submitting the high performance file from the designer location to the print service provider location via an electronic network;

verifying at the print service provider location that the print job will be processed at the print service provider location as indicated by the

processing instructions contained in the high performance file and, if not, correcting the high performance file to ensure processing substantially as designed; and

performing at the print service provider location automated printing on a digital printer using, if created, the corrected high performance file, else using the verified high performance file.

As a first matter, Kemp does not teach receiving at a designer location from a print service provider "real time configuration information regarding a print production device at the print service provider location". Although Kemp describes a portal server 30 of the portal 3 obtaining service provider information that meets search criteria provided by the user (*Kemp*, paragraph 0062), that information is obtained from a database 31 maintained by the portal 3. Kemp does *not* state that the database 31 contains "real time configuration information" regarding a print production device of the service provider 2. Furthermore, although Kemp describes a server 20 of the service provider consulting a look-up table that includes all of the "capabilities" of the print shop (*Kemp*, paragraph 0084), Kemp does not state that such "capabilities" comprise "configuration information". Moreover, Kemp does *not* state that the capabilities information is "real time" information, i.e., up to date information as to dynamic aspects of the print production devices (e.g., availability). Moreover, although Kemp states that the service provider 2 may generate a "failure response" for the user that indicates that printing is not possible (*Kemp*, paragraph 0084), such a message does *not* comprise "real time configuration information regarding a print production device" as required by claim 1.

Regarding the Examiner's block-copying Applicant's claim limitation and providing a citation to paragraphs "43, 55-58, 60-62, 69-71, and 84-87" without explanation, the Examiner has failed to clearly state the reasons why he believes that the limitation is taught by Kemp and therefore has denied Applicant a full and fair hearing and a full opportunity to respond. *See* MPEP 706.07. Applicant therefore requests that the Examiner identify *with particularity* the various lines of those paragraphs that the Examiner believes to teach "real time configuration information regarding a print production device at the print service provider location" and *provide an explanation* as to why the Examiner believes those specific lines teach that limitation. Applicant has reviewed each of those paragraphs and can find no teaching of "real time configuration information regarding a print production device at the print service provider location".

As a second matter, Kemp does not teach creating at the designer location a high performance file "using the real time configuration information from the print service provider location". Because Kemp does not teach receiving real time configuration from the service provider 2, it follows that the user cannot create a file using that information.

As a third matter, Kemp does not teach creating a high performance file that comprises "the digital file that represents the image to be printed and processing instructions that indicate how a print job associated with the high performance file is to be processed". That is, Kemp does not describe the creation of *a single file* that includes both an image and processing instructions. To the contrary, Kemp explicitly

describes the *separate creation and transmission* of print job data and a job ticket. In particular, in paragraph 0069, Kemp states:

> Although the print driver rendering engine 14 is activated and renders the print job into NPDL and spools the data, it is not submitted to the service provider at this time. Rather, print driver submits a job ticket request to service provider server 20 via Internet 5, shown as 50 in FIG. 4.

Kemp, paragraph 0069, lines 1-6.

Fourth, Kemp does not teach verifying at the service provider that the print job will be processed as indicated by the processing instructions and, if not, "correcting the high performance file to ensure processing substantially as designed". Although, as noted above, Kemp describes the service provider 2 sending a "failure response" to the user, Kemp does *not* mention the action of "correcting" a file to ensure processing "substantially as designed".

Regarding the Examiner's block-copying Applicant's claim limitation and providing a citation to paragraphs "84-87" without explanation, the Examiner has failed to clearly state the reasons why he believes Applicant's limitation is taught by Kemp and therefore has denied Applicant a full and fair hearing and a full opportunity to respond. *See* MPEP 706.07. Applicant therefore requests that the Examiner identify *with particularity* the various lines of those paragraphs that the Examiner believes to teach "correcting the high performance file to ensure processing substantially as designed" and *provide an explanation* as to why the Examiner believes those specific lines teach that limitation. Applicant has reviewed each of those paragraphs and can

find no teaching of "correcting the high performance file to ensure processing substantially as designed".

In view of at least the above, Applicant submits that Kemp does not anticipate claim 1 or the claims that depend therefrom. Applicant therefore requests that the rejections be withdrawn.

2. Claims 20-23, and 26

Applicant's independent claim 20 provides as follows:

> 20. A system for managing workflow in a commercial printing environment, said system comprising:
>> a designer location configured to:
>>> create a digital file that represents an image to be printed,
>>> receive from a print service provider location real time configuration information regarding a print production device at the print service provider location,
>>> create a high performance file using the real time configuration information from the print service provider location, the high performance file comprising the digital file that represents the image to be printed and processing instructions that indicate how a print job associated with the high performance file is to be processed, and
>>> submit the high performance file to the print service provider location via an electronic network; and
>> a print service provider location configured to:
>>> verify that the print job will be processed at the print service provider location as indicated by the processing

instructions contained in the high performance file and, if not, correct the high performance file to ensure processing substantially as designed, and

perform automated printing on a digital printer using, if created, the corrected high performance file, else using the verified high performance file.

Regarding claim 20, Kemp does not teach a designer location configured to: receive from a print service provider location "real time configuration information regarding a print production device at the print service provider location", or create a high performance file "using the real time configuration information from the print service provider location", the file comprising "the digital file that represents the image to be printed and processing instructions that indicate how a print job associated with the high performance file is to be processed" at least for reasons described above in relation to claim 1.

In addition, Kemp does not teach a print service provider location configured to: verify that the print job will be processed as indicated by the processing instructions and, if not, "correct the high performance file to ensure processing substantially as designed" at least for reasons described above in relation to claim 1.

In view of at least the above, Applicant submits that Kemp does not anticipate claim 20 or the claims that depend therefrom. Applicant therefore requests that the rejections be withdrawn.

II.   Claim Rejections - 35 U.S.C. § 103(a)

A.   Rejection of Claims 15, 17-19, 24, 27, and 28

Claims 15, 17-19, 24, 27, and 28 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kemp* as applied to claims 1 and 20 and in view of *Saito* (U.S. Pub. No. 2003/0090713). Applicant respectfully traverses.

As identified above, Kemp does not teach aspects of Applicant's claims. In that Saito does not remedy the deficiencies of the Kemp reference, Applicant respectfully submits that claims 15, 17-19, 24, 27, and 28 are allowable over the Kemp/Saito combination for at least the same reasons that claims 1 and 20 are allowable over Kemp.

B.   Rejection of Claims 13 and 25

Claims 13 and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kemp* as applied to claims 1 and 20 in further view of *Lermant, et al.* ("Lermant," U.S. Pub. No. 2004/0218201). Applicant respectfully traverses the rejection.

As identified above, Kemp does not teach aspects of Applicant's claims. In that Lermant does not remedy the deficiencies of the Kemp reference, Applicant respectfully submits that claims 13 and 25 are allowable over the Kemp/Lermant combination for at least the same reasons that claims 1 and 20 are allowable over Kemp.

C.   Rejection of Claim 16

Claim 16 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Kemp* as applied to claim 1 and in view of *Someshwar, et al.* ("Someshwar," U.S. Pub. No. 2002/0116439). Applicant respectfully traverses the rejection.
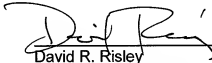
As identified above, Kemp does not teach aspects of Applicant's claims. In that Someshwar does not remedy the deficiencies of the Kemp reference, Applicant respectfully submits that claim 16 is allowable over the Kemp/Someshwar combination for at least the same reasons that claim 1 is allowable over Kemp.

CONCLUSION

Applicant respectfully submits that Applicant's pending claims are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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